

MANSFIELD TOWNSHIP COMMITTEE MEETING

June 8, 2022

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Express Times NJ Zone of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Farino, Mr. Hayes, Deputy Mayor McGuinness, Mrs. Mora Dillon.

Salute to the flag was done by all.

PUBLIC PORTION – CONSENT AGENDA ITEMS

Deputy Mayor McGuinness opened the Public Portion of the meeting for comments on the Consent Agenda Items.

Seeing none, the Public Portion for Consent Agenda Items was closed.

CLERK'S REPORT

Mrs. Orlando reported:

Primary Election – All went well.

EMS – Takeover started June 1, 2022. Mrs. Orlando is helping the supervisors with financial and administrative issues. She met with them on Monday night. Will meet weekly to see how things are going. Financials have been submitted for the audit.

Dodge Charger – Was sold at auction for \$3,600.00.

Liquor Licenses – Renewals will be on the agenda June 22, 2022. Mrs. Orlando is working with the State to correct one from two (2) years ago due to an error in filing as Inactive instead of In-Pocket. Mrs. Orlando is also working on a corporate structure change they applied for two years ago that did not take place.

CFO REPORT

Mrs. Mollineaux reported:

Chapter 159 Ordinance – Click It or Ticket Grant is on the agenda tonight.

2021 Audit – The new auditing firm is working on the audit; will be lengthy since it's the first time auditing us.

EMPLOYEES' REPORTS

Mrs. Fascenelli reported:

SWAC Meeting – Mrs. Fascenelli and Mayor Watters attended the June 2nd meeting where there was no application submitted from the food recycling, but one was expected in a day or so. SWAC formed a subcommittee to review the application when it comes in and advise the whole committee. The next meeting is September 1st so there is time for them to review and make a decision.

2022 Newsletter – A draft copy of the newsletter is in the packet for the Committee’s review. Any changes or adjustments, please let Mrs. Fascenelli know.

2023 Calendar – The Green Team is asking residents to submit pictures for the new calendar.

ENGINEER’S REPORT

No report at this time.

LAISONS’ REPORTS

Mr. Hayes reported that he, Mrs. Orlando, and Mr. McGuinness met with the township engineer and architect to go over the specs for Mt. Bethel Church. The next meeting will be sometime next week as a Zoom meeting so more people can attend.

ORDINANCES

Second Reading

Mr. Hayes made a motion to approve Ordinance to Ban Short-Term Rentals Within the Township, which was seconded by Mrs. Mora Dillon.

Deputy Mayor McGuinness opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino Mr. Hayes, Deputy Mayor McGuinness, Mrs. Mora Dillon

Nays: None

Absent: Mayor Watters

Abstain: None

AN ORDINANCE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY AMENDING CODE OF THE TOWNSHIP OF MANSFIELD ADDING SECTION 215 TO REGULATE SHORT TERM RENTALS.

WHEREAS, the Township wishes to prohibit short term rentals of dwellings or dwelling units for a period of 60 days or less subject to certain exceptions; and

WHEREAS, the Township wishes to prohibit pools, dwellings and other amenities from being rented within the Township;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, in the County of Warren, State of New Jersey, as follows:

SECTION 1.

Chapter 215. Short-Term Rentals

§215-1 Prohibited Conduct.

No person shall undertake, maintain, authorize, aid, facilitate, solicit, promote and advertise any rental or activity that violates any part of this article.

§215-2 Short Term Rental Restrictions.

- A. Notwithstanding anything to the contrary in the Township Code, it shall be unlawful for any person, including, but not limited to, an owner, lessor, sublessor with any possessory interest in any dwelling unit, to receive compensation of any kind for the use, occupancy, or rental of any dwelling or dwelling unit for a period of 60 days or less except for the following:
 - 1. "Use and occupancy" arrangements between the purchaser and seller of a dwelling, whereby the purchaser of the dwelling is temporarily occupying or renting the seller's dwelling prior to closing on the purchase of the dwelling pursuant to the terms of a written contract or agreement
- B. Notwithstanding anything to the contrary in the Township Code, it shall be unlawful for any person, including, but not limited to, an owner, lessor, sublessor with any possessory interest in any dwelling unit, to receive compensation of any kind for the use, occupancy, lease or rental, for any purpose and for any period of time, of any amenity, feature, or accessory that is appurtenant to or associated with any rental facility, rental unit, dwelling (including but not limited to, a duplex, multiple, or single-family) or residential structure is prohibited. "Amenity, feature, or accessory" shall include, but is not limited to, swimming pools, pool cabanas, accessory structures, hot tubs, decks, patios, yards and the like.
- C. Notwithstanding anything to the contrary in the Township Code, it shall be unlawful for any person, including, but not limited to, an owner, lessor, sublessor with any possessory interest in any dwelling unit, to receive compensation of any kind for the use, occupancy, lease or rental, for any purpose and for any period of time, of property or portion of property for camping, glamping or recreational vehicle space.

§215-3 Regulations; fees and charges.

The Township Committee may promulgate regulations, which may include but are not limited to permit conditions, reporting requirements, inspection frequencies, enforcement procedures, advertising restrictions, disclosure requirements, or insurance requirements, to implement the provisions of this article. No person shall fail to comply with any such regulation.

§215-4 Enforcement.

The provisions of this article shall be enforced by the Township Zoning Officer, Fire Department, Police Department and any other Township official or employee so designated by the Township Clerk/Administrator who all shall be authorized to issue summons or other appropriate civil violations or complaints for any violations of the terms and provisions of this article.

§215-5 Fines, violations and penalties.

1. Any person who is found or adjudicated to have violated any provision of this article shall be liable for a fine not to exceed \$1,000. Each day of any such violation after receiving written notice of same shall be a new and separate violation.
2. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings and/or injunction, reasonable attorney's fees or other fees and costs, in the Township's Municipal Court or the Superior Court of New Jersey in the vicinage of Warren County, or in such other court or tribunal of competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding.

SECTION 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistencies only.

SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4. This Ordinance shall take effect after final passage and publication in accordance with law.

Second Reading

Mayor Watters entered the meeting.

Mr. Hayes made a motion to approve Ordinance Creating the Position Within the Public Works with Salary and Wages, which was seconded by Mr. McGuinness.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

**AN ORDINANCE AMENDING ORDINANCE 2020-14 OF
THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY**

BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

WHEREAS, the Township Committee of the Township of Mansfield has determined that it is in the best interest of the Township to create the position of Part Time Certified Public Works Manager to supervise the day-to-day operations of the Department of Public Works staff, and oversee the transition of the Department.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

Section 1

Appointment; Term. The Part Time Certified Public Works Manager shall be appointed by majority vote of the governing body. He or she shall hold this office for a one-year term (with the first term ending December 31, 2022). He or she may also be removed from the position for cause as determined by the governing body.

Duties. The Part Time Certified Public Works Manager shall be responsible for the following duties:

1. Oversee the transition of Township of Department of Public Works.
2. Supervise the Township Department of Public Works staff in their day-to-day functions.

Ordinance 2020-14 is hereby amended by creating and adding the position of Part-time Certified Public Works Manager within the Township and establishing a salary range therefore of \$45-55/hour

This Ordinance shall take effect as required by law.

Second Reading

Mr. Hayes made a motion to approve Creating Position Season/Temporary Emergency Medical Technician with Salary and Wages, which was seconded by Mrs. Mora Dillon.

Mayor Watters opened the meeting for public comment; seeing none, public portion was closed.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

**AN ORDINANCE AMENDING ORDINANCE 2020-14 OF
THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, STATE OF NEW JERSEY**

BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

WHEREAS, the Township Committee of the Township of Mansfield has determined that

it is in the best interest of the Township to create the position of seasonal/temporary Emergency Medical Technicians (EMTs).

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

Seasonal/Temporary Emergency Medical Technician

A person trained in basic life support care and validly certified in accordance with the standards for Emergency Medical Technician-Basic certification as set forth at N.J.A.C. 8:40A.

Ordinance 2020-14 is hereby amended by creating and adding the position of seasonal/temporary Emergency Medical Technician (EMT) within the Township and establishing a salary range therefore of \$17-25/hour

This Ordinance shall take effect as required by law.

CONSENT AGENDA

Each of the following resolutions A-I & K were presented before the Township Committee at the June 8, 2022, meeting and have the unanimous approval of all the members of the Township Committee, with the same legal effect as though each was read in its entirety at the June 8, 2022, meeting and adopted by separate vote.

Motion by Mr. Hayes, second by Mr. McGuinness.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Authorizing Contract for Professional Engineering Services – Certified Forensic Accounting

WHEREAS, there exists a need for the service of a Professional Services Certified Accountant in the Township of Mansfield for Professional Forensic Accounting relating to Mansfield Emergency Medical Services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:1 1-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, in the County of Warren as follows: The agreement with the Certified Public Accountants of Wagner & Associates, LLC is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:1 1-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law. A copy of the Agreement is on file for inspection with the Clerk of the Township of Mansfield.

1. This contract shall not exceed \$ 2,500.00.
2. A notice of this action shall be printed once in the Express Times-NJ Zone.

Authorizing Hiring Full-Time Police Officer

WHEREAS, due to vacancy, the Township Committee of the Township of Mansfield authorized the Chief of Police to conduct a search for the purpose of identifying an individual to hire as a Full-Time Police Officer; and

WHEREAS, the Chief of Police has received applications and conducted such interviews and investigations of applicants as appropriate and consistent with the Township's policies and procedures; and

WHEREAS, the Chief of Police has determined that Robert DePasquale possesses the character and qualifications necessary to serve as Full-Time Police Officer (Step 2) for the Mansfield Township Police Department.

WHEREAS, the salary recommended is \$56,443.00;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that Robert DePasquale is hereby hired as a Full Time Police Officer, effective July 1, 2022.

Authorizing Hiring Seasonal/Temporary Emergency Medical Technicians

WHEREAS, the Township of Mansfield passed Resolution #22-131 authorizing an MOU with Mansfield Emergency Services; and

WHEREAS, the Township will take on all paid staff as seasonal temporary employees of the Township of Mansfield;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey that the following Emergency Medical Technicians are hired as seasonal temporary employees of the Township of Mansfield in accordance with Ordinance 2022-14:

Vincent P Acquisto

Jessica Bartelloni

Haley E Clancy

Ryan M Clancy

Ryan Duffell

Christopher Dziuba

Mary C Grant

Helen Marie Hardgrove

Katherine Insel

Robert Kelly

Rylee J Legreide

Adam I Mysona

Michael Petruzzellis

Warren Potter

Mark B Reilly

Rebecca Southard

Stacey A Trevena

Authorizing Refund of Overpayment of Taxes

WHEREAS, the following property has overpayment for Q2 - 2022 which should be refunded:

Block / Lot / Qual	Quarter(s)	Amount	Payor	Reason
2901 / 1.05	2	3,851.13	CoreLogic	Q2-2022 overpayment. Property owner is 100% Disabled Veteran and is therefore tax exempt.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 8th day of June, 2022 that the Tax Collector and Township Finance Office are hereby authorized to refund the tax overpayments to the vendor shown below as well as make any adjustments to the tax records as needed:

CORELOGIC Centralized Refunds
PO Box 9202
Coppell, TX 75019-9760

Tax Overpayments totaling \$ **3,851.13**

Authorizing Appropriating Chapter 159 – Click It or Ticket

WHEREAS, N.J.S.A. 40A:4-87, Chapter 159, P.L. 1948 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, Township of Mansfield has received a \$7,000.00 "Click it or Ticket" Grant, and wishes to amend its 2022 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$7,000.00 to be received as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Consent of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations:
Click it or Ticket Grant

BE IT FURTHER RESOLVED that a like sum of \$7,000.00 be appropriated under the caption of:
General Appropriations:

(A) Operations Excluded from "CAPS"

Public and Private Programs Offset by Revenues:
Click it or Ticket Grant

BE IT FURTHER RESOLVED that a certification form be sent to the Director of the Division of Local Government Services for his approval.

Authorizing Refund of Overpayment of Taxes

Whereas, the property known as Block 1105.04 Lot 38 on the Tax Maps of the Township of Mansfield, Warren County, NJ has an overpayment of **\$ 3,091.50** for the 2nd Quarter of 2022; and,

Whereas the property owners have requested a refund of said overpayment and have completed the necessary paperwork to effect such a refund;

Now therefore be it resolved, by the Township Committee of the Township of Mansfield this 8th day June, 2022 that the Tax Collector and Township Finance Office are hereby authorized to refund the following overpayment:

Bonnie & Patrick Walsh
40 Canterbury Lane
Hackettstown, NJ 07840

Block 1105.04 Lot 38

Refund: \$ 3,091.50

Authorizing Refund of Escrow Balance

WHEREAS, Damian Warzecha issued a check dated August 24, 2017 for a Land Use Board variance to the Township of Mansfield, County of Warren; and

WHEREAS, there remains a balance of \$ 230.00 in the escrow account; and

WHEREAS, the Land Use Board Engineer has determined that the escrow balance can be refunded,

NOW, THEREFORE, BE IT RESOLVED, that the Township Finance Office be authorized to refund the amount of \$ 230.00 to Damian Warzecha.

AUTHORIZING PURCHASING FROM MORRIS COUNTY CO-OP CONTRACT #2 FOR #2 FUEL OIL FROM FINCH FUEL OIL CO., INC.

WHEREAS, the Township of Mansfield wishes to purchase #2 Fuel Oil under the Morris County Co-Op; and

WHEREAS, Morris County Co-Op awarded a contract to Finch Fuel Oil Co., Inc., PO Box 468, 648 Schuyler Avenue, Kearny, New Jersey, 07032; and

WHEREAS, the Chief Financial Officer has certified that funds are available in the 2022 budget for an additional \$ 5,000.00 and the line item to be charged is 2-01-31-430-0000-4410; and

WHEREAS, the Township is authorized to make purchases through cooperative and state contracts pursuant to N.J.S.A. 40A:11-10 and 12; and

WHEREAS, it is the recommendation of the Chief Financial Officer to purchase #2 Fuel Oil through the Morris County Co-Op.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield that the Chief Financial Officer be authorized to issue purchase orders to Finch Fuel Oil Co., Inc., PO Box 468, 648 Schuyler Avenue, Kearny, New Jersey, 07032 through December 31, 2022.

Authorizing Raffle Licenses for ARC Foundation of Warren County

WHEREAS, ARC Foundation of Warren County has submitted Raffle License Applications for a drawing to be held on July 23, 2022; and

WHEREAS, all paperwork and payments are in order, and the identification number from the Legalized Games of Chance Control Commission is currently valid, and will be valid at the date and time of the raffles;

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that Raffle License RA2022-06 is approved, and the Acting Township Clerk is authorized to sign off on the licenses and submit copies to the appropriate authorities.

Mr. Farino withdrew from Consent Agenda Item J.

Mr. Hayes made a motion to approve consent agenda item J, which was seconded by Mrs. Mora Dillon.

Ayes: Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: Mr. Farino

Authorizing Payment of Municipal Obligations

WHEREAS, the Township Committee of the Township of Mansfield, County of Warren, finds and declares that certain municipal obligations have come due and are now payable; and

WHEREAS, the Township Committee further finds and declares that said obligations have been itemized on the annexed schedules, which are hereby deemed part of this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Mansfield does hereby authorize payment of said municipal obligations, in accordance with the recommendations of the Chief Financial Officer and the Deputy Treasurer, from the following accounts and in the following amounts:

PREPAID LIST	
CURRENT	\$105,963.15
CAPITAL	
TRUST	\$
DOG	\$

RECREATION	
OPEN SPACE	\$
DEV ESCROW	
UNEMPLOYMENT	\$55.43
TAX PREMIUM	
MANDATORY DEV	
OUTSIDE EMPLOY	
TOTAL	\$1`06,018.58

BILLS LIST	
CURRENT	\$712,984.21
CAPITAL	\$28,952.35
TRUST	\$
DOG	\$10.80
RECREATION	\$
OPEN SPACE	\$
DEV ESCROW	\$230.00
UNEMPLOYMENT	\$
TAX PREMIUM	\$
MANDATORY DEV	\$
OUTSIDE EMPLOY	\$
GREEN TEAM	\$
TOTAL	\$742,177.36

COMMITTEE COMMENTS

No comments at this time.

PUBLIC PORTION

Mayor Watters opened the Public Portion of the meeting for comments.

Carol Thompson, 510 Rt. 57, stated the new zoning officer is allowing expansion of crushed vehicles in the front parking lot of Rt. 57 Auto Salvage every day. Zoning officer did not issue violations after court; they are still operating without a license. Mayor Watters stated we will speak to the zoning officer.

Mayor Watters asked for further comments from the public; seeing none, the public portion was closed.

EXECUTIVE SESSION

Mayor Watters announced moving into Executive Session at 7:51 pm.

Mr. McGuinness made a motion to go into Executive Session at 7:51pm, which was seconded by Mr. Hayes.

Ayes: Mr. Farino Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Nays: None

Absent: None

Abstain: None

Mr. Lavery stated the Executive Session discussion will include:

- Personnel matter dealing with Police
- Personnel matter dealing with DPW

RETURN FROM EXECUTIVE SESSION

Return from Executive Session at 8:35 pm.

Mr. Hayes made a motion to return to Regular Session, which was seconded by Mr. McGuinness.

Roll Call: Mr. Farino, Mr. Hayes, Mr. McGuinness, Mrs. Mora Dillon, Mayor Watters

Mr. Lavery announced the return from Executive Session where they discussed:

- Personnel matter dealing with Police
- Personnel matter dealing with DPW

No official action was taken. Copies of these minutes will be available at such time the Committee determines there is no longer a harm to the public interest.

Mr. Hayes made a motion to adjourn at 8:35 pm, carried unanimously.

Respectfully submitted,
Illena Raffaele
Deputy Clerk/Registrar